

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BARBARA KOERTH,)
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Plaintiff,)
)
)
v.) **No. 3:20-cv-00878**
)
)
COUNTY OF MONTGOMERY *et al.*,)
)
)
Defendants.)

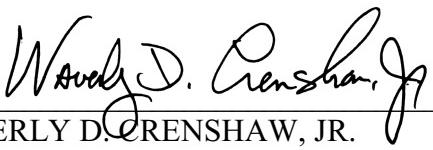
ORDER

Magistrate Judge Newbern has entered a Report and Recommendation (“R&R”) (Doc. No. 42) recommending that the City of Clarksville’s motion to dismiss for failure to prosecute under Federal Rule of Civil Procedure 41(b) (Doc. No. 38) be granted, and that its two remaining motions to dismiss (Doc. Nos. 25, 35) be denied as moot. Despite being warned in accordance with Thomas v. Arn, 474 U.S. 140, 155 (1985) that the failure to file specific objections within fourteen days could constitute a waiver of appeal of the matters decided, no objections have been filed. Having reviewed the matter *de novo* in accordance with Rule 72, the Court agrees with recommended disposition for the reasons articulated by Magistrate Judge Newbern.

Accordingly, the Court rules as follows:

- (1) The R&R (Doc. No. 42) is **APPROVED AND ADOPTED**;
- (2) The City of Clarksville’s Motion to Dismiss for Failure to Prosecute (Doc. No. 38) is **GRANTED**, and its Motions to Dismiss Under Rule 12(b)(6) (Doc. Nos. 25, 35) are **DENIED AS MOOT**. The Motion to Dismiss filed by Montgomery County (Doc. No. 41) on the same day as the R&R was entered is likewise **DENIED AS MOOT**;
- (3) The Clerk of the Court shall enter a final judgment and close this case.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE